

UNITED STATES DEPARTMENT OF AGRICULTURE  
ANIMAL AND PLANT HEALTH INSPECTION SERVICE



**OFFICIAL WARNING**  
**VIOLATION OF FEDERAL REGULATIONS**

**CASE NUMBER:**

MO11105 AC

**VIOLATOR:**

Ruth M. Zuspann  
DBA Zuspann Kennel

**ADDRESS** (*Street, City, State, ZIP Code*):

618 E. North St.  
Edina, MO 63537

The U.S. Department of Agriculture has evidence that on or about the date(s) listed below, you or your organization committed the following violation(s) of Federal Regulations:

**Date of Violation: November 16, 2010**

**9 C.F.R. § 3.1(c)(3) Cleaning.** You failed to spot-clean daily and sanitize hard surfaces with which the dogs come in contact to prevent accumulation of excreta and reduce disease hazards.

You allowed dirt, grime, hair, and dust to accumulate on the walls, wash downs, and fans in the trailer.

**Date of Violation: November 16, 2010**

**9 C.F.R. § 3.2(b) Indoor housing facilities. Ventilation.** You failed to sufficiently ventilate the indoor housing facilities for dogs at all times when dogs are present to provide for their health and well-being, and to minimize odors, drafts, ammonia levels, and moisture condensation.

APHIS officials observed a strong odor of fecal material and ammonia upon entering a trailer which irritated their noses.

**Date of Violation: November 16, 2010**

**9 C.F.R. § 3.6(c)(1)(iii)** You failed to provide primary enclosures where the interior height of the enclosure was at least 6 inches higher than the head of the tallest dog in the enclosure when it is in a normal standing position.

You housed five dogs in separate enclosures that allowed only 4 inches or less of additional head space for the dogs inside.

**Date of Violation: November 16, 2010**

**9 C.F.R. § 3.11(b)(2)** You failed to sanitize food and water receptacles for dogs at least once every 2 weeks using one of the methods and more often if necessary to prevent an accumulation of dirt, debris, food waste, excreta, and other disease hazards.

You allowed dirt and grime to build up on the in/out doors in approximately 15 enclosures, a brownish build up to accumulate on at least two lixit type water devices, and dust, hair, dirt, and grime to build up on the walls and PVC piping.

**Date of Violation: March 4, 2011**

**9 C.F.R. § 2.40(b)(2)** Attending veterinarian and adequate veterinary care (dealers and

exhibitors). You failed to establish and maintain programs of adequate veterinary care that included the use of appropriate methods to prevent, control, diagnose, and treat diseases and injuries for the animals at your facility.

You failed to provide adequate veterinary care for the following animals:

- 1) A Yorkshire terrier observed squinting with hair matted to its eyeball and clear discharge; and
- 2) Dogs with matted fur.

**Date of Violation: March 4, 2011**

**9 C.F.R. § 3.1(c)(3) Cleaning.** You failed to spot-clean daily and sanitize hard surfaces with which the dogs or cats come in contact to prevent accumulation of excreta and reduce disease hazards.

You allowed dirt, hair, and grime to accumulate on the PVC enclosure supports and along the edges of the metal enclosure support structures. Additionally, you allowed fecal matter to build up around the waste drain and dust to accumulate on the stacked food dishes under the pens.

**Date of Violation: March 4, 2011**

**9 C.F.R. § 3.2(b) Indoor housing facilities. Ventilation.** You failed to sufficiently ventilate the indoor housing facilities for dogs at all times when dogs are present to provide for their health and well-being, and to minimize odors, drafts, ammonia levels, and moisture condensation.

APHIS officials observed a strong odor of fecal material and ammonia upon entering a trailer which irritated their noses.

**Date of Violation: March 4, 2011**

**9 C.F.R. § 3.6(a)(1) Primary enclosures.** You failed to design and construct the primary enclosures of suitable materials so that they are structurally sound and kept in good repair.

You failed to repair and/or replace the wall surfaces of two enclosures where the walls were chewed and scratched.

**Date of Violation: March 4, 2011**

**9 C.F.R. § 3.6(c)(1)(iii)** You failed to provide primary enclosures where the interior height of the enclosure was at least 6 inches higher than the head of the tallest dog in the enclosure when it is in a normal standing position.

You housed a dog in an enclosure that only allowed 4 inches or less of additional head space for the dog inside.

**Date of Violation: June 9, 2011**

**9 C.F.R. § 2.40(b)(2) Attending veterinarian and adequate veterinary care (dealers and exhibitors).** You failed to establish and maintain programs of adequate veterinary care that included the use of appropriate methods to prevent, control, diagnose, and treat diseases and injuries for the animals at your facility.

You failed to provide adequate veterinary care for a female Yorkshire terrier observed squinting and blinking her right eye, that was partially closed, with a

clear discharge completely surrounding the right eye and around the left eye.

**Date of Violation: June 9, 2011**

**9 C.F.R. § 3.1(c)(3) Cleaning.** You failed to spot-clean daily and sanitize hard surfaces with which the dogs or cats come in contact to prevent accumulation of excreta and reduce disease hazards.

You failed to remove cobwebs and a wasp or honeycomb cocoon in the upper exterior corners of one of the in/out dog doors.

**Date of Violation: June 9, 2011**

**9 C.F.R. § 3.6(c)(1)(iii)** You failed to provide primary enclosures where the interior height of the enclosure was at least 6 inches higher than the head of the tallest dog in the enclosure when it is in a normal standing position.

You housed three dogs in separate enclosures that only allowed 4 inches or less of additional head space for the dog inside.

**Date of Violation: July 6, 2011**

**9 C.F.R. § 2.40(b)(2)** Attending veterinarian and adequate veterinary care (dealers and exhibitors). You failed to establish and maintain programs of adequate veterinary care that included the use of appropriate methods to prevent, control, diagnose, and treat diseases and injuries for the animals at your facility.

You failed to provide adequate veterinary care for the following animals:

- 1) A female Havanese with green discharge from both eyes who was later diagnosed with cataracts and euthanized and
- 2) A female Havanese observed not bearing weight on her front right foot, which had a hairless, approximately 1cm circular area that was darkened with a puffy, slightly swollen appearance and tender upon palpation.

The Animal and Plant Health Inspection Service (APHIS) created federal regulations to ensure the welfare of animals and help prevent the spread of animal and plant pests and diseases. Since violations of the regulations can have serious and costly impacts that are detrimental to the public interest, APHIS is providing you with an Official Warning for the violation(s) described above. Any further violation of these federal regulations may result in the assessment of a civil penalty, criminal prosecution, or other sanctions. If you have any questions concerning this Official Warning or violation(s), please contact the APHIS official listed in this notice.

**APHIS OFFICIAL (Name):**

Robert J. Huttenlocker

**OFFICE ADDRESS:**

4700 River Road, Unit 85  
Riverdale, MD 20737

**APHIS OFFICIAL (Title):**

Director, Investigative and Enforcement Services

**DATE  
ISSUED:**  
6/29/2012

**TELEPHONE  
NUMBER:**  
(301) 851-2948